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Committee on Relations with the Host Country

Letter dated 20 July 2010 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

I have the honour to transmit copies of notes verbales dated 17 June 2010 and 28 June 2010, respectively (see annexes), that the United States Mission to the United Nations sent to the Permanent Mission of Nicaragua to the United Nations as bilateral replies to the latter's notes verbales dated 10 June 2010 and 26 June 2010, respectively, regarding the experiences of the Permanent Representative of Nicaragua upon her recent airport arrivals in the United States.

However, as the Permanent Mission of Nicaragua has chosen to raise the issues in the multilateral venue of this Committee, the United States Mission finds it necessary to briefly indicate the extraordinary efforts (made in the wake of the Permanent Representative's initial complaint regarding her airport arrival on 7 June) to accommodate the Nicaraguan Permanent Representative and the apparent inability of her Mission to follow procedures on a timely basis that Missions routinely follow in facilitating the airport arrivals of their Permanent Representatives and other dignitaries. The extensive e-mail correspondence between the two Missions attests to the apparent inability of the Permanent Mission staff to complete the online courtesies of the port form and forward it by electronic mail to the United States Mission. The United States Mission, the Department of State and the immigration authorities of the Department of Homeland Security undertook extraordinary efforts to facilitate the subsequent arrivals of the Nicaraguan Permanent Representative, despite the inability of the Permanent Mission of Nicaragua to follow these procedures. The State Department's Country Director for Nicaragua and the other Central American States went to the State Department on the United States national holiday to fill out the necessary forms himself on behalf of the Permanent Mission of Nicaragua with respect to the Permanent Representative's arrival, originally planned for 2 July but changed to 5 July with little advance notice. He and several other United States Government officials worked over the Independence Day weekend to accommodate the Nicaraguan Permanent Representative's last minute change in plans.

The Permanent Mission of Nicaragua repeatedly failed to submit the required forms, with accurate and complete required information, even crucial information

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such as the Permanent Representative's correct date of arrival and correct port of entry, on a timely basis. This greatly impeded the efforts of the United States authorities to avoid delays to the Permanent Representative on her subsequent arrivals into the United States. The United States stands ready to assist the Permanent Mission of Nicaragua as it would any other Mission regarding courtesies of the port on arrival. It is important, however, to note that extending courtesies of the port on arrival is a *courtesy*, and requires the active cooperation and participation of the Mission in filling out the necessary forms correctly and on a timely basis. It is also important to note that had the Permanent Representative of Nicaragua accepted the suggestion of the United States Mission contained in note HC-82-10 (see annex II) and solicited a new United States visa, the problems she experienced on her entry on 7 June could have been avoided for all subsequent entries into the United States.

I would request that you circulate the diplomatic notes and the present letter containing additional information as documents of the Committee on Relations with the Host Country.

(*Signed*) Russell F. **Graham**
Minister Counsellor for Host Country Affairs

Annex I to the letter dated 20 July 2010 from the Minister Counsellor for Host Country Affairs of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

Diplomatic note No. HC-82-10 dated 17 June 2010

The United States Mission to the United Nations presents its compliments to the Permanent Mission of Nicaragua to the United Nations and has the honour to reply to the latter's note MNI-190-2010 regarding the unfortunate events surrounding the arrival of the Permanent Representative, Ambassador Maria Rubiales de Chamorro, at John F. Kennedy Airport on 7 June 2010.

The United States Mission regrets the inconvenience experienced by Ambassador Rubiales. After having received the referenced note, the United States Mission contacted officers of United States Customs and Border Protection at Kennedy Airport and learned that an individual with a name very similar to that of the Ambassador had recently been placed on a watchlist. When the Ambassador arrived at the immigration inspection point on 7 June, the officer-in-charge found it necessary to take her to a separate room while the authorities attempted to determine definitively whether the Ambassador and the individual on the watchlist were the same person. When it became clear that they were not, the Ambassador was free to proceed.

The United States Mission has stressed to Customs and Border Protection that steps should be taken to avoid a repeat of these events in the future. In anticipation of the Ambassador's most recent arrival at Kennedy from overseas on 16 June, the United States Mission requested the Permanent Mission to submit a courtesies of the port request, which the United States Mission in turn forwarded to the Chief of Passenger Operations of United States Customs and Border Protection. It is our understanding that the Chief ensured the Ambassador's easy passage through immigration formalities on the morning of 16 June. If the Ambassador so desires and makes a new visa application, the United States Mission would be pleased to reissue a new G-1 visa with an annotation that will make it clear that she is not to be confused with the individual of a similar name. These steps should eliminate the chance that the events of 7 June are repeated, and would ensure that the Ambassador is treated in accordance with her status.

Annex II to the letter dated 20 July 2010 from the Minister Counsellor of the United States Mission to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

Diplomatic note No. HC-86-10 dated 28 June 2010

The United States Mission to the United Nations presents its compliments to the Permanent Mission of Nicaragua to the United Nations and refers to the latter's note MNI-UN-126-2010 dated 26 June 2010.

The United States Mission regrets the inconvenience caused to the Permanent Representative, Ambassador Maria Rubiales de Chamorro, who was briefly held for questioning on arrival at Miami International Airport on Saturday, 26 June. It is this Mission's understanding that United States Customs and Border Protection and the Deputy Assistant Secretary of State responsible for Central America have already apologized to the Ambassador.

As the Permanent Mission is aware, Ambassador Rubiales is eligible for courtesies of the port, and discussions were held between the Permanent Mission of Nicaragua and the United States Mission on Friday, 25 June 2010 with regard to her upcoming arrival in New York on 2 July. During those discussions, no mention was made of Ambassador Rubiales's plans to arrive at Miami on Saturday, 26 June, so the United States Mission was surprised to note on Monday morning, 28 June, that a request for courtesies of the port in favour of Ambassador Rubiales had arrived after the close of business on 25 June. The United States Mission respectfully reminds the Permanent Mission that requests for courtesies of the port should be submitted two business days prior to the scheduled arrival of the dignitary concerned, and should not be submitted on Fridays after 3 p.m. Except during the period of the general debate each September, neither the United States Mission nor the Department of State is staffed over the weekend to deal with last-minute airport arrival and departure requests that arrive after normal business hours.

The United States Mission is pleased that the Permanent Mission has forwarded a corrected port courtesies request for Ambassador Rubiales's arrival at Kennedy Airport in the early morning hours of 2 July, and expects that this arrival will go smoothly and with no inconvenience.